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BY S. J. ROW.

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FIRST ANNUAL MESSAGE OF ABRAHAM LINCOLN, President of the United States.

Fellow-citizens of the Senate and House of Representatives—In the midst of unprecedented political troubles we have cause of great gratitude to God for unusual good health and most abundant harvests. You will not be surprised to learn that in the peculiar exigencies of the times, our intercourse with foreign nations has been attended with profound solicitude, chiefly turning upon our own domestic affairs. A disloyal portion of the American people have, during the whole year, been engaged in an attempt to divide and destroy the Union. A nation which endures factious domestic division is exposed to disrespect abroad, and one party, if not both, is sure, sooner or later, to invoke foreign intervention. Nations thus tempted to interfere are not always able to resist the counsels of seeming expediency and ungenerous ambition, although measures adopted under such influences seldom fail to be unfortunate and injurious to those adopting them.

The disloyal citizens of the United States who have offered the ruin of our country in return for the aid and comfort which they have evoked abroad have received less patronage and encouragement than they probably expected. If it were just to suppose, as the insurgents have seemed to assume, that foreign nations are actuated by no higher principle than the acquisition of territory and honor, and selfishly for the most speedy restoration of commerce, including especially the acquisition of cotton, those nations appear as yet not to have seen their way to their object more distinctly or clearly through the destruction than through the preservation of the Union.

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The correspondence itself, with the usual reservations, is herewith submitted. I venture to hope it will appear that we have practiced prudence and liberality towards foreign powers, averting causes of irritation, and with firmness maintaining our own rights and honor. Since, however, it is apparent that here, as in every other State, foreign dangers necessarily attend domestic difficulties, I recommend that adequate and ample measures be adopted for maintaining the public defenses on every side. While under the general recommendation provision for defending our seacoast line occur to the mind, I also in the same connection, ask the attention of Congress to our great harbors and rivers. It is believed that fortifications and depots of arms and munitions, with harbor and navigation improvements, all at well selected points upon these, would be of great importance to the national defence and preservation.

I ask attention to the report of the Secretary of War, expressed in his report upon the same general subject. I deem it of importance that the loyal regions of East Tennessee, and Western North Carolina shall be connected with Kentucky, and other faithful parts of the Union, by a railroad, and, as a military road, as a military construction, that Congress, speedily, as possible, Kentucky, no doubt, will co-operate and through her legislature, make the most judicious selection of a line. The northern terminus must connect with some existing railroad, and whether the route shall be from Lexington or Nicholasville to the Cumberland Gap, or from Lebanon to the Tennessee River, in the direction of Knoxville, or on some still other route, is a matter to be decided by Kentucky and the general Government co-operating, the work can be completed in a very short time, and when done it will be not only of vast present usefulness, but also a valuable permanent improvement, worth its cost in all the future.

Some treaties, designed chiefly for the interests of commerce, and having no grave political importance, have been negotiated and submitted to the Senate for their consideration. Although we have failed to induce some of the commercial powers to adopt the desirable meliorations of the rigor of maritime war, we have removed all obstructions from the way of this humane reform, except such as are merely of temporary and accidental occurrence. I invite your attention to the correspondence between Her Britannic Majesty's Minister, accredited to this Government, and the Secretary of State, relative to the detention of the British ship *Porchester*, in June last, by the United States steamer *Massachusetts*, for a supposed breach of the blockade. As this detention was occasioned by an obvious misapprehension of the facts, and as justice requires that we should commit no belligerent act not founded in strict right, as sanctioned by public law, I recommend that an appropriation be made to satisfy the reasonable demands of the owners of the vessel, for her detention. I repeat the recommendation of my predecessor in his annual message to Congress, that the surplus of the duties on the disposition of the surplus which will probably remain after satisfying the claims of American citizens against China, pursuant to the awards of the Commissioners under the act of the 3d of March, 1859. If, however, it should not be deemed advisable to carry that recommendation into effect, I would suggest that authority be given for investing the principal over proceeds of the surplus referred to, in good securities, with a view to the satisfaction of such other just claims of our citizens against China as are not unlikely to arise hereafter in

the course of our extensive trade with that Empire. By the act of the 6th of August last, Congress authorized the President to instruct the commanders of suitable vessels to defend themselves against and to capture pirates. This authority has been exercised in a single instance only. For the more effectual protection of our extensive and valuable commerce, in the Eastern seas especially, it seems to me that it would also be advisable to authorize the commanders of sailing vessels to capture any prizes which pirates may make of United States vessels and their cargoes, and the Consular Courts now established by law in Eastern countries to adjudicate the cases in event that this should not be objected to by the local authorities.

If any good reason exists why we should persevere longer in withholding our recognition of the independence and sovereignty of Hayti and Liberia, I am unable to discern it—unwilling, however, to inaugurate a novel policy in regard to them without the approbation of Congress. I submit, for your consideration, the expediency of an appropriation for maintaining a charge-de-affairs near each of those new States. It does not admit of doubt that important commercial advantages might be secured by favorable treaties with them.

The operations of the Treasury during the period which has elapsed since your adjournment, have been conducted with signal success. The patriotism of the people has placed at the disposal of the Government the large means demanded by the public exigencies. Much of the National Loan has been taken by citizens of the industrial classes, whose confidence in their country's faith and zeal for their country's deliverance from present peril have induced them to contribute to the support of the Government the whole of their limited acquisitions. This fact imposes peculiar obligations to economy in disbursements and energy in action.

The revenue from all sources, including loans for the financial year, ending on the 30th of June, 1861, was \$86,835,900 27, and the expenditures for the same period including payments on account of the public debt, were \$84,578,834 47, leaving a balance in the Treasury on the 1st of July, of \$2,257,065 80. For the first quarter of the financial year ending on the 30th of September, 1861, the receipts from all sources including the balance of the 1st of July, were \$102,632,509 27, and the expenses \$98,239,733 09—leaving a balance on the 1st of October, 1861, of \$4,392,776 18.

Estimates for the remaining three-quarters of the year and for the financial year of 1862, together with his view of ways and means for meeting the demands contemplated by them, will be submitted to Congress by the Secretary of the Treasury.

It is gratifying to know that the expenditures made necessary by the rebellion are not beyond the resources of the loyal people, and to believe that the same patriotism which has thus far sustained the Government will continue to sustain it till peace and union shall again bless the land.

I respectfully refer to the report of the Secretary of War for information respecting the numerical strength of the army, and for recommendations having in view an increase of its efficiency and the well being of the various branches of the service entrusted to his care. It is gratifying to know that the patriotism of the people have proved equal to the occasion, and that the number of troops tendered greatly exceeds the force which Congress authorized me to call into the field.

I refer with pleasure to those portions of his report which make allusion to the creditable operations of discipline already attained by our troops, and to the excellent sanitary condition of the entire army. The recommendation of the Secretary for an organization of the militia upon a uniform basis, is a subject of vital importance to the future safety of the country, and is commended to the serious attention of Congress.

The large addition to the regular army, in connection with the defection that has so considerably diminished the number of its officers gives peculiar importance to his recommendation for increasing the corps of Cadets to the greatest capacity of the Military Academy. By mere omission, I presume, Congress has failed to provide Chaplains for Hospitals occupied by Volunteers. This subject was brought to my notice and I was induced to draw up the form of a letter, one copy of which properly addressed, has been delivered to each of the persons, and at the dates, respectively named and stated in a schedule containing also the form of the letter, marked A, and herewith transmitted.

These gentlemen I understand entered upon the duties designated at the times respectively stated on the schedule and have labored faithfully therein ever since. I therefore recommend that they be compensated at the same rate as chaplains in the army. I would also here further suggest that general provision be made for chaplains to serve at the hospitals as well as with regiments. The report of the Secretary of the Navy, presents in his operations of discipline already attained by the activity and energy which have characterized its administration, and the results of measures to increase its efficiency and power. Such have been the additions by construction and purchase, that it may almost be said a Navy has been created and brought into service since our difficulties commenced. Besides blockading our extensive coast. Squadrons larger than ever before assembled under our flag, have been put afloat and performed deeds which have increased our Naval renown.

I would invite special attention to the recommendation of the Secretary for a more perfect organization of the Navy by introducing additional grades in the service. The present organization is defective and unsatisfactory and the suggestions submitted by the department will, it is believed, if adopted obviate the difficulties alluded to, promote harmony, and increase the efficiency of the bench of the Supreme Court, two by the decease of Justices Daniel and McLean, and one by the resignation of Justice Campbell. I have so far forbore making nominations to fill these vacancies for reasons which I will now state. Two of the outgoing Judges resided within the States now overrun by revolt, so that if their successors were appointed in the same localities they could not now serve upon their circuit, and many of the most competent men there, probably, would not take the personal hazard of accepting to serve even here, upon the Supreme Bench.

I have been unwilling to throw all the appointments Northward, thus disabling myself from doing justice to the South, on the return of peace to the North one which has heretofore been in the South, would not, with reference to territory and population, be unjust.

During the long and brilliant judicial career of Judge McLean, his circuit grew into an empire altogether too large for any one Judge to give the Courts therein more than a nominal attendance rising in population from 1,470,018 in 1830, to 6,151,405 in 1860. Besides this, the country generally has outgrown our present judicial system. If uniformity was at all intended, the system requires that all the States shall be accommodated with Circuit Courts attended by Supreme Judges, while, in fact, Wisconsin, Minnesota, Iowa, Kansas, Florida, Texas, California and Oregon have never had any such Courts. Nor can this well be remedied without a change of the system, because the adding of Judges to the Supreme Court enough for the accommodation of all parts of the country with Circuit Courts, would create a Court altogether too numerous for a judicial body of any sort. And the evil, if it be one, will increase as new States come into the Union. Circuit Courts are useful or they are not useful. If they are useful, no State should be denied them. If not useful, no State should have them. Let them be provided for all or abolished to all. Three modifications occur to me, either of which, I think, would be an improvement upon our present system.

Let the Supreme Court be of convenient number in every event. Then first, let the whole country be divided into circuits of convenient size the Supreme Judges to serve in a number of them corresponding to their own number, and independent Circuit Judges be provided for all the rest. Or, secondly, let the Supreme Judges be relieved from all the duties of the Circuit Courts, and let all the Circuit Courts be dispensed with, leaving the judicial functions wholly to the District Court and an independent Supreme Court.

I respectfully recommend to the consideration of Congress the present condition of the statute laws, with the hope that Congress will be able to find an easy remedy for many of the inconveniences and evils which constantly embarrass those engaged in the practical administration of the laws, and the organization of the government Congress has enacted some five thousand acts and joint resolutions, which fill more than six thousand closely printed pages, and are scattered through many volumes. Many of these acts have been drawn in haste and without sufficient caution, so that their provisions are often obscure in themselves, or in conflict with each other, or at least so doubtful as to render it very difficult for even the best informed person to ascertain precisely what the statute law really is.

It seems to me very important that the statute laws should be made as plain and intelligible as possible, and be reduced to as small a compass as may consist with the fullness and precision of the will of the Legislature and the perspicuity of its language. This, well done, would, I think, greatly facilitate the administration of the law, and would be a lasting benefit to the people by placing before them in a more accessible an intelligible form the laws which so deeply concern their interests and their duties. I am informed by some, whose opinions I respect, that all the acts of Congress, now in force, and of a permanent and general nature might be revised and re-written so as to be embraced in one volume, or at most in two volumes of ordinary and commercial law, and I respectfully recommend to Congress to consider the subject, and if my suggestion be approved, to devise such a plan as their wisdom shall seem most proper for the attainment of the end proposed.

One of the unavoidable consequences of the present insurrection is the entire suppression in many places, of all the ordinary means of administering civil justice by the officers in the form of existing law. This is the case in whole or in parts in all the insurgent States, and as our armies advance upon and take possession of parts of those States, the practical evil becomes more apparent. There are no courts, nor officers to whom the citizens of the States may apply for the enforcement of their lawful claims against citizens of the insurgent States, and there is a vast amount of debt constituting such claims, some have estimated it as high as \$200,000,000 due in large part from insurgents in open rebellion to loyal citizens who are even now making great sacrifices in the discharge of their patriotic duty to support the Government. Under these circumstances I was urgently solicited to establish, by military power, courts to administer summary justice in such cases. I have thus far declined to do it, not because I had any doubt that the end proposed the collection of the debts, was just and right in itself, but because I have been unwilling to go beyond the pressure of necessity in the unusual exercise of power.

But the powers of Congress, I suppose, are equal to the anomalous occasion, and therefore I refer the whole matter to Congress, with the hope that a plan may be devised for the administration of justice in all such parts of the insurgent States and Territories as may be under the control of this Government whether by a voluntary return to allegiance and order, or by the power of our arms.

The execution of the laws for the suppression of the African slave trade has been confined to the department of the Interior. It is subject of congratulation that the efforts which have been made for the suppression of this inhuman traffic have been recently attended with unusual success. Five vessels being fitted out for the slave trade have been seized and condemned. Two mates of vessels engaged in the trade and one person engaged in equipping a slave have been convicted, and subjected to the penalty of fine and imprisonment, and one captain, taken with a cargo of Africans on board his vessel, has been convicted of the highest grade of offence under our laws, the punishment of which is death. The Territories of Colorado, Dakota, and Nevada, created by the last Congress, have been organized, and civil administration has been inaugurated therein under auspices especially gratifying, when it is considered that the seven of treason was found existing in some of these new countries when the Federal officers arrived there. The abundant natural resources of these territories, with the security and protection afforded by an

organized Government, will doubtless invite to them a large immigration when peace shall restore the business of the country to its accustomed channels. I submit the resolutions of the Legislature of Colorado, which evidence the patriotic spirit of the people of the Territory.

So far the authority of the United States has been upheld in all the Territories, as it is hoped it will be in the future. I commend their interests and defence to the enlightened and generous care of Congress. I recommend to the favorable consideration of Congress the interests of the District of Columbia. The insurrection has been the cause of much suffering and sacrifice to its inhabitants, and as they have no Representative in Congress, that body should not overlook their just claims upon the Government. At your late session, a joint resolution was adopted, authorizing the President to take measures for facilitating a proper representation of the industrial interests of the United States at the Exhibition of the Industry of all Nations, to be holden at London in the year 1862.

I regret to say, I have been unable to give personal attention to this subject—a subject at once so interesting in itself, and so extensively and intimately connected with the material prosperity of the world. Through the Secretaries of State and of the Interior, a plan or system has been devised and partly matured, and which will be laid before you.

The extension of this District across the Potomac river, was eminently wise; and consequently, that the relinquishment of that portion of it which lies within the State of Virginia was unwise and dangerous. I submit for your consideration the expediency of retaining that part of the District, and the restoration of the original boundaries thereof, through negotiation with the State of Virginia.

The reports of the Secretary of the Interior, with the accompanying documents, exhibit with the condition of the several branches of the public business pertaining to that Department. The depressing influences of the insurrection have been especially felt in the operations of the patent and general land offices.

The cash receipts from the public lands during the past year have exceeded the expenses of our land system only about \$200,000. The sales have been entirely suspended in the Southern States, while the interruptions of the business of the country, and the diversion of large numbers of men from labor to military service, have obstructed settlements in the new States and Territories of the Northwest.

The receipts of the Patent Office have declined in nine months about \$100,000 rendering a large deduction of the force employed necessary to make it self-sustaining.

The demands upon the Pension Office will be largely increased by the insurrection.

Numerous applications for pensions, based upon the casualties of the existing war, have already been made. There is reason to believe that many who are now upon the pension rolls, and in receipt of the bounty of the Government, are in the ranks of the insurgent army, or giving them aid and comfort. The Secretary of the Interior has directed a suspension of the payment of the pensions of such persons upon proof of their disloyalty. I recommend that Congress authorize that officer to cause the names of such persons to be stricken from the pension roll.

The relations of the Government with the Indian tribes have been greatly disturbed by the insurrection, especially in the Southern Superintendency, and in that of New Mexico. The Indian country south of Kansas is in possession of insurgents from Texas and Arkansas. The agents of the United States Government appointed since the 4th of March for this superintendency, have been unable to reach their posts, while the most of those who were in the office before that time, have espoused the insurrectionary cause and assume to exercise the powers of agents by virtue of commissions from the insurrectionists.

It has been stated in the public press that a portion of these Indians have been organized by the insurrectionists, and are attached to the army of the insurgents. Although the Government has no official information upon this subject, letters have been written to the Commissioner of Indian Affairs by several prominent chiefs, giving assurance of their loyalty to the United States, and expressing a wish for the presence of Federal troops to protect them.

It is believed that upon the re-possession of the country by the Federal forces, the Indians will readily increase by the insurrectionists, and resume their former relations to the Government.

Agriculture, confessedly the largest interest of the nation, has not a department nor a bureau, but a clerkship only, assigned to it in the Government. While it is fortunate that this great interest is so independent in its nature as not to have demanded and extorted more from the Government, I respectfully ask Congress to consider whether something more cannot be given voluntarily with general advantage.

Annual reports, exhibiting the condition of our agriculture, commerce and manufactures, would present a fund of information of great practical value to the country. While I make no suggestion as to details, I venture the opinion that an agricultural and statistical bureau might profitably be organized.

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Union by a larger majority, and a larger aggregate vote than they ever before gave to any candidate on any question.

Kentucky, too, for some time in doubt, is now decidedly, and, I think, unchangeably, ranged on the side of the Union. Missouri is comparatively quiet, and I believe cannot again be overrun by the insurrectionists. These three States of Maryland, Kentucky and Missouri, neither of which would promise a single soldier at first, have now an aggregate of not less than forty thousand in the field for the Union; while of their citizens, certainly not more than a third of that number, and they of doubtful whereabouts and doubtful existence, are in arms against it. After a somewhat bloody struggle of months, winter closes on the Union people of Western Virginia, leaving them masters of their own country.

An insurgent force of about fifteen hundred, for months dominating the narrow peninsular region of the counties of Accomac and Northampton, and known as the Eastern Shore of Virginia, together with some contiguous parts of Maryland, have laid down their arms, and the people there have renewed their allegiance to and accepted the protection of the old flag. This leaves no armed insurrection north of the Potomac nor east of the Chesapeake.

Also, we have obtained a footing at each of the isolated points on the southern coast of Florida, Fort Royal, Tybee Island, near Savannah, and Ship Island, and we have some general accounts of popular movements in behalf of the Union in North Carolina and Tennessee. These things demonstrate that the cause of the Union is advancing steadily southward.

Since your last adjournment, Lieutenant-General Scott has retired from the head of the army. During his long life the nation has not been unimpaired of his merit, yet, on calling to mind how faithfully, ably and brilliantly he has served his country, for a time far beyond our history, when few of the now living had been born, and thenceforward continually, I cannot but think we are still debtors. I submit, therefore, for your consideration, what further mark of recognition is due to him and to ourselves as a grateful people.

With the retirement of General Scott came the Executive duty of appointing in his stead a General-in-Chief of the Army. It was a fortunate circumstance that neither in country or country was there, so far as I know, any difference of opinion as to the proper person to be selected. The retiring Chief repeatedly expressed his judgment in favor of General McClellan for the position, and in this the nation seemed to give a unanimous concurrence. The designation of Gen. McClellan is, therefore, in a considerable degree, the selection of the country as well as of the Executive, and hence there is better reason to hope that there will be given him the confidence and cordial support thus, by fair implication, promised, and without which he cannot, with so full efficiency, serve the country. It has been said that one bad general is better than two good ones, and the saying is true, if taken to mean no more than that an army is better directed by a single mind, though inferior, than by two superior ones at variance and cross purposes with each other. And this same is true in all joint operations, wherein those engaged can have none but a common end in view, and can differ only as to the choice of means.

In a storm at sea, no one can wish the ship to sink, and yet not unrequently all go down together, because too many will direct, and no single mind can be allowed to control. It continues to develop that the insurrection is largely, if not exclusively, a war upon the first principles of popular government—the rights of the people. Conclusive evidence of this is found in the most grave and maturely considered public documents, as well as in the general tone of the insurgents.

In these documents we find the abridgment of the existing right of suffrage, and the denial of the people of all right to participate in the selection of public officers, except the Legislature, boldly asserted, with labored arguments, to prove that large majorities of the people in Government is the source of all political trouble.

Monarchy itself is sometimes hinted at as a possible refuge from the power of the people. In my present position I could scarcely be justified were I to omit raising a warning voice against this approach of returning despotism.

It is not needed nor fitting here that a general argument should be made in favor of liberal institutions.

But there is one point with its connections, not so hackneyed as most others, to which ask a brief attention. It is the effort to place capital on an equal footing with, if not above, labor, in the structure of the Government.

It is assumed that labor is available only in connection with capital; that nobody labors unless somebody else, owning capital, somehow by the use of it, induces him to labor. It is assumed, it is next considered whether it best that the capital shall induce labor, and thus induce them to work by their own consent, or buy them and drive them to it without their consent.

Having proceeded so far, it is naturally concluded that all laborers are either hired laborers or what we call slaves. And further, it is assumed, that whoever is once a hired laborer, is fixed in that condition for life. Now there is no such relation between capital and labor, as assumed, nor is there any such thing as a free man being fixed for life in the condition of a hired laborer. Both these assumptions are false, and all inferences from them are groundless. Labor is prior to and independent of capital.

Capital is only the fruit of labor, and could never have existed if labor had not first existed. Labor is the superior of capital, and deserves much the higher consideration. Capital has its own rights, which are as worthy of protection as any other rights. Nor is it denied that there is, and probably always will be, relation between labor and capital, producing mutual benefits. The error is in assuming that the whole labor of the community exists within that relation.

A few men own capital, and that few avoid labor, or buy another few to labor for them. A large majority belong to neither class, neither work for others nor have others working for them.

In most of the Southern States a majority of the whole people, of all colors, are neither slaves nor masters, while in the Northern, a large majority are neither hirers nor hired.